



STATE of OREGON
BOARD of LICENSED SOCIAL WORKERS
Board Meeting
Friday, April 11, 2014
3218 Pringle Road S. Salem, OR 97302

Board Members Present: Carol Zancanella, *Chair*
Donna Henderson, *Vice Chair*
Kathy Outland
Martha Lopez
Rachel Jensen
Ebony Sloan Clarke

Board Counsel Present: Kyle Martin, *AIC, Oregon Dept. of Justice*

Staff Members Present: Randy Harnisch, *Executive Director*
Mindy Tucker, *Senior Compliance Specialist*
Kim Sommer, *Interim Licensing Manager*

1. CALL TO ORDER:

Chair Zancanella called the Board Meeting to order at 2:02 p.m., and provided brief opening remarks.

2. REVIEW OF AGENDA:

Chair Zancanella asked for review of the draft agenda.

- i. **Henderson moved to adopt and approve the agenda.**
- ii. **Lopez seconded.**
- iii. **Motion passed unanimously.**

3. MOVE TO EXECUTIVE SESSION:

Chair Zancanella announced that the Board would now enter into Executive Session to conduct Board business, pursuant to ORS 162.660(2)(b)(f)(h)(i)(k). The Board entered into Executive Session at 2:08 p.m.

- **Chair Zancanella moved the Board out of Executive Session at 2:32 p.m.**

4. COMMITTEE REPORTS:

Henderson presented the Consumer Protection Committee report.

In the matter of case 2012-61:

- i. **Henderson moved to dismiss the case.**
- ii. **Outland seconded.**
- iii. **Motion passed unanimously.**

In the matter of case 2012-43:

- i. **Henderson moved to close the case.**
- ii. **Jensen seconded.**
- iii. **Motion passed unanimously.**

In the matter of case 2013-56:

- i. **Henderson moved to dismiss the case.**
- ii. **Lopez seconded.**
- iii. **Motion passed unanimously.**

In the matter of case 2013-63:

- i. **Henderson moved to dismiss the case.**
- ii. **Clarke seconded.**
- iii. **Motion passed unanimously.**

Jensen provided the Continuing Education Committee report, and advised that committee had approved three CE requests from LCSWs **Bresko**, **Wozniak**, and **Swanson**.

5. SPECIAL REVIEWS:

Sommer reviewed with the Board the matter of **Elizabeth Kirkaldie's** request to return to active licensure status after approximately 1 year on inactive status. Board members discussed the matter.

- i. **Clarke moved to approve Elizabeth Kirkaldie's request to return to active status, subject to passage of the Oregon Statutes and Administrative Rules exam.**
- ii. **Outland seconded.**
- iii. **Motion passed unanimously.**

Sommer reviewed with the Board the matter of **Cecelia Sanders'** request to return to active licensure status after 5 years on inactive status, while actively practicing in another state. Board members discussed the matter.

- i. **Clarke moved to approve Cecelia Sanders' request to return to active status, subject to completion of 40 hours of continuing education and passage of the Oregon Statutes and Administrative Rules exam.**
- ii. **Outland seconded.**
- iii. **Motion passed unanimously.**

Sommer reviewed with the Board the matter of **Linda Rose's** request to move to Semi-Retired licensure status after 2 years on Inactive status. Board members discussed the matter.

- i. **Outland moved to approve Linda Rose's request to return move to Semi-Retired status, subject to passage of the Oregon Statutes and Administrative Rules exam.**
- ii. **Clarke seconded.**
- iii. **Motion passed unanimously.**

Sommer reviewed with the Board the matter of **Audrey Cook, David Ehrman, and Matt Crumbaker's** request to receive credit for group supervision hours that were not accrued under a Board approved Plan of Supervision. Board members determined that based on Board rules, they had no authority to approve such a request.

Sommer reviewed with the Board the matter of **Amanda Kruszka's** request to count supervision and work hours completed in the state of Michigan. Board members discussed the matter.

- i. **Outland moved to approve Amanda Kruszka's request to count supervision and work hours completed in the state of Michigan.**
- ii. **Clarke seconded.**
- iii. **Motion passed unanimously.**

Sommer reviewed with the Board the matter of **Aimee Goglia's** request to receive credit for supervision and work hours that were completed during the time her CSWA certificate was expired. Board members determined that Board statute does not allow hours to count that are not accrued while holding an active CSWA certificate, therefore not done under a Board approved Plan of Supervision.

Sommer reviewed with the Board the matter of **Karen Hill's** request to receive a portion of her supervision via phone/video calls. Board members determined that based on Board rules regarding geographic hardship, she needed to find an Oregon supervisor, and they had no authority to approve such a request.

Sommer reviewed with the Board the matter of **Mikaelyn Harrison's** request to receive credit for supervision and work hours completed in the state of Washington. Board members discussed the matter.

- i. **Jensen moved to approve Mikaelyn Harrison's request to count supervision and work hours completed in the state of Washington.**
- ii. **Lopez seconded.**
- iii. **Motion passed unanimously.**

Tucker reviewed with the Board the matter of **Jason Pool's** CSWA application. The Board discussed requiring the applicant to disclose his public discipline from TSPC to a supervising clinician for the purposes of incorporating and emphasizing professional boundaries as part of his Plan of Supervision and CSWA supervision reporting to the Board.

- i. **Outland moved to approve Jason Pool's CSWA application with the requirements as stated.**
- ii. **Lopez seconded.**
- iii. **Motion passed unanimously.**

6. APPROVAL OF THE CONSENT AGENDA:

- i. **Henderson moved to approve the Consent Agenda as presented.**
- ii. **Clarke seconded.**
- iii. **Motion passed unanimously.**

7. PUBLIC COMMENT:

Nicole Larson, CSWA was present for Public Comment and presented the Board with letters written by her supervisors (attached). Larson petitioned the Board to count her previous supervision and work hours.

8. EXECUTIVE DIRECTOR'S REPORT:

Harnisch discussed with the Board his presentation at George Fox University and plans for future presentations at PSU. He will contact programs at Pacific, Concordia and University of Portland.

Harnisch discussed with the Board the current Board member vacancies: two public members and upcoming professional members whose terms will be expiring shortly. There is one public member applicant which could be confirmed by senate in May.

Harnisch presented the Board with 2015-2017 budget and legislative concept instructions. Harnisch attended a budget kickoff meeting in March. A revenue estimate has been submitted to the Board budget analyst. Harnisch walked the Board through the budget steps and processes.

Harnisch presented the Board with the 2015-2017 licensing and revenue projection. Harnisch discussed the fee increase process.

Harnisch discussed with the Board a personnel update. **Zancanella** inquired about hiring another investigator to improve the Board's complaint KPMs. **Harnisch** advised that the legislature is hesitant to increase agency positions.

Harnisch reported to the Board that Jesse Milich has resigned from his position as Board Investigator. A recruitment to fill his position has been posted. Harnisch is working with DAS to get a long-term contract for an investigator.

9. OLD BUSINESS:

Harnisch reviewed the Joint Legislative and Rules Committee's suggestions to the draft rules. Harnisch presented the Board with copies of the draft rules (attached).

Outland gave an update on the Taskforce on Child Custody Guidelines. Outland reported on the taskforce's conference call meetings. Outland presented the taskforce's recommendations for the Joint Legislative and Rules Committee. Outland will be preparing minutes to present to the Board. **Clarke** suggesting looking into the Department of Human Services: Child Welfare's definition of custody evaluations. **Outland** also suggested looking into Family Law and the Circuit Court definition.

Harnisch reviewed with the Board proposed changes to OARS 877-001-006-0006 Definition, 877-015-0106 Definitions, 877-020-0000 Definitions, 877-020-0010 Plan of Practice and Supervision, 877-020-0012 Requirements of Supervision, 877-020-0060 Reduced Requirements, and 877-030-0040 Conduct and Reporting Requirements of Regulated Social Workers (attached).

Henderson discussed the scope of the use of electronic media in social work. Jensen and Henderson have been looking at what other states are providing for guidance and rules regarding social workers using electronic media in their practice. **Outland** suggested looking into ASWB's research on e-therapy.

10. NEW BUSINESS:

Chair Zancanella discussed correspondence from Greg Pugh, MSW regarding his request for research project cooperation (attached). Pugh would like conduct a State Ethical Environment Survey. **Harnisch** explained that the only information the Board would need to supply Pugh with

would be the public email addresses of the Board's licensee base. **Outland** stressed the importance of boundaries and making sure Pugh knows the Board is not partnering in his research. **Martin** advised that this should be treated like any public records request. **Zancanella** would like to consult with Pugh regarding the content of his survey, and receive the outcome of the survey results. **Harnisch** suggested inviting Pugh to present and explain his program in person to the Board.

11. ANNOUNCEMENTS & ADJOURNMENT:

Chair Zancanella thanked Martha Lopez for her service on the Board.

Chair Zancanella adjourned the Board meeting at 5:20 p.m.

Respectfully submitted,



Kim Sommer
Interim Licensing Manager

April 11, 2014

Nicole Larson
CSWA # A3659

Dear Oregon Board of Licensed Social Workers,

I am here at today's Board meeting to explain my licensure journey and to petition that this Board will accept my previous hours of work toward my current hours needed as a CSWA.

I earned my MSW from USC in 2005. While there I interned as a psychiatric social worker in SE Los Angeles, working at a high school of 5,000 kids, 99% of whom were in poverty. I also interned for a coalition against hunger and homelessness and was in charge of the advocacy efforts of dozens of nonprofits on these matters, while also working directly with the homeless. I moved from LA to Portland, OR in 2005.

I first applied and became a CSWA in Oregon back in 2006. I was working as a Clinical Case Manager at New Avenues for Youth in Portland, OR, providing services to homeless youth. I had a plan of supervision with an approved supervisor, Alaine Toomey, LCSW. I became aware that Alaine did not turn in the necessary paperwork to the Board and before it was resolved, Alaine quit her job and moved away. I also received supervision from Janelle Miller, LCSW, who was another Board-approved supervisor. However I did not start a new plan with the Board with Janelle because I was trying to get in contact with Alaine to reconcile my previous hours first. At the time, I was unaware that Alaine had cancer and then went on to pass away, tragically explaining why I was unable to get in contact with her. This is documented in two letters I brought today, from Janelle Miller (written in 2008 when we did not know Alaine's status) and from Sean Suib, the current Executive Director of New Avenues.

While at New Avenues (April 2006-July 2008), it is documented that I completed the following:

- 1,800+ hours of direct clinical contact (1,800 at the time this data was gathered from our computer data system – I went on to work there for almost 3 1/2 more months, completing additional hours)

- 3,400 total hours of social work practice

- 90 hours of supervision with Board approved LCSW's

- Several additional hours of LSCW supervision

I then quit my job at New Avenues when I was nine months pregnant with my daughter in July 2008. I currently stay home with my 5 and 2 year olds and work part time. Now that I have my CSWA again, I am thrilled to be practicing clinically. However over the past 4 1/2 years, I have stayed very active in the field of social work (non-clinical).

I advised an agency developing programming to serve commercially sexually exploited children for over a year (2009-2010) in Portland. I attended Portland's anti-trafficking

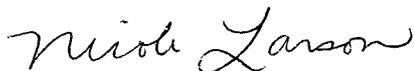
taskforce meetings for about a year and worked collaboratively toward addressing the city's response to trafficking. I was one of 30 people selected in Oregon to attend a GEMS (Girls Educational and Mentoring Services) 3 day train-the-trainer event on CSEC (commercial sexual exploitation of children) in June of 2010. I was asked personally by Commissioner Dan Saltzman to sit on a committee to help create programming for foster care youth and trafficking survivors. I have attended 90+ hours of trainings on trauma and abuse. I am part of the NW leadership team for a nonprofit called Mending the Soul and am a national and international instructor for them on issues of trauma and abuse. I have mentored survivors of trafficking for the last 2 ½ years and have facilitated (non-clinical) small groups for people around issues of trauma and abuse. I am now at the point where I very much want to practice clinically again and get my LCSW. I reapplied for my CSWA certificate and my plan was approved on March 5, 2014.

I have begun counseling again and supervision again. I am respectfully asking this Board to count my previous hours of work at New Avenues toward my current plan. I have achieved the goals of an approved plan... rich and intense clinical experience, necessary experience through hours completed in the field of social work, and positive, growth-producing supervision from Board-approved LCSW's.

Because I stay home with my children, I am only able to work part-time. Without these previous hours, I fear it would take me nearly 4 years to re-complete. I feel I have already learned so very much from my previous work and supervision and that re-doing all of the hours and supervision is not necessary and not highly beneficial. My heart and passion is to serve people who desperately need counseling but can not afford to pay for it. I have done all of the work since having my kids 5 years ago on a volunteer basis. I see clients now pro-bono and focus on those who are dealing with deep trauma, abuse, and crisis and could not otherwise afford counseling. Being a social worker is a part of my identity and the values of social work resonate with me deeply.

It would absolutely mean the world to me to count my previous hard work and hours, drastically opening up doors for how I can best serve those in need. This would leave me with a need to complete 200 more hours of direct clinical work (100 of which could count toward overall social work practice), and 10 hours of supervision. Thank you so very much for your time and for your consideration on this matter.

Respectfully yours,



Nicole Larson

Nicole Larson
nicolemlarson@gmail.com
503-896-6556



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Sean Suib
Executive Director

March 31, 2014

Sean Suib, LCSW
Executive Director at New Avenues for Youth

Oregon Board of Licensed Social Workers
3218 SE Pringle Road, Suite #240
Salem, OR. 97302

Oregon Board of Licensed Social Workers:

My name is Sean Suib and I am the Executive Director for New Avenues for Youth in Portland, OR. We provide a continuum of services designed to prevent and intervene on youth homelessness. I am a LCSW and have had my clinical license since 2002. I am writing to you today on behalf of Nicole Larson, a current CSWA. I am aware that Nicole is asking this Board to accept her previous hours of work while at New Avenues and have them count toward her necessary hours for licensure. I am very much in support of this.

I have known Nicole since I directly hired her as a Clinical Case Manager at New Avenues in April of 2006. She worked with us until July of 2008 when she quit at nine months pregnant to have her first child. During that approximate 2 ½ years, I was in charge of oversight of the provision of clinical services at our agency. I supervised Nicole's clinical supervisors, both Alaine Toomey and Janelle Miller. Both of these women were LCSW's approved by this board to provide supervision to CSWA's. Nicole originally applied and got her CSWA status while at New Avenues and she was receiving supervision from Alaine Toomey at the time. Unfortunately, we became aware that Alaine did not turn in the necessary reports to the board regarding Nicole's supervision. As this was being remedied, Alaine quit her job in August of 2007 and subsequently she tragically passed away. Nicole also received supervision from Janelle Miller from October of 2007 until April of 2008. During the interim time before Janelle was hired, I provided clinical supervision to Nicole and her clinical case management team. I also met with Nicole for case consultation regularly throughout the course of her 2 ½ year tenure, and am familiar with her work as a social worker and mental health clinician. While at New Avenues, Nicole worked approximately 3,400 total hours. Her primary role was direct clinical work/client contact. I am aware that Janelle Miller wrote a letter to this Board stating that as of April of 2008, Nicole had completed approximately 1800 hours of direct clinical work and I can attest to this being true. I also signed off on the letter that Janelle wrote.

Nicole consistently demonstrated her commitment to the Social Work Code of Ethics and the values of social work. She was skilled at assessment, treatment planning, and record keeping. She clearly valued each client and believed in their dignity and worth, and valued service and social justice. Nicole worked very well on an interdisciplinary team and excelled at collaboration and consultation. She was always seeking to improve and grow as a professional and attended all agency educational trainings made available to her. She was a valued employee and a skilled and compassionate clinician.

Because of the unique situation and circumstances with Alaine, I would with all due respect, ask this Board to count Nicole's time while at New Avenues toward her goal of clinical licensure. Please feel free to call or email me with any questions you might have. Thank you for your consideration.

Best,

A handwritten signature in cursive script that reads "Sean Suib".

Sean Suib, LSCW

Email: ssuib@newavenues.org

Phone: 503-517-3921



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April 7, 2008

This letter is to certify that Nicole Larson, MSW has been employed by New Avenues for Youth from April 23, 2006 to the present in the role of Clinical Case Manager. Since her start date, she has had approximately 1800 hours of direct client contact (please see attached report).

As a result of agency staffing changes, Nicole has had 2 LCSW supervisors during her tenure at New Avenues, both have been approved by the board to supervise MSW's for licensure. Nicole's first supervisor, Alaine C. Toomey, LCSW supervised Nicole from May 1, 2006 until August 2007 for a total of 40 individual hours and 30 group supervision hours. Nicole's second supervisor, Janelle A. Miller, LCSW supervised Nicole from October 8, 2007 until April 8, 2008 for a total of 8 individual hours and 12 group supervision hours.

Although a board approved supervision plan was not submitted by Nicole to the Oregon Board of Social Workers when she experienced a change in supervisors, Nicole has exemplified the characteristics of an approved plan, such as case consultation, Ethics Code review and discussions, file review, service plans, and appropriate self care and this supervisor does not have any concerns regarding Nicole's ability to become licensed.

If you have any additional questions regarding this letter, please contact Sean Suib, LCSW, Associate Executive Director.

Respectfully,

Janelle A. Miller, LCSW and Sean Suib, LCSW



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March 30, 2014

MENDING THE SOUL



BRINGING HOPE TO GENERATIONS

Oregon Board of Licensed Social Workers
3218 SE Pringle Road, Suite #240
Salem, OR. 97302

Dear Oregon Board of Licensed Social Workers:

My name is Celestia Tracy and I am writing to you regarding Nicole Larson who is a current CSWA. I am the founder of a section 501(c)(3) non-profit organization called Mending the Soul and am also a LPC. I graduated from Lewis and Clark with a MA in Counseling/Psychology and have enjoyed fifteen years of full-time private practice as a psychotherapist. I'm currently Director of Resource Development with MTS and oversee the training and oversight of mentors and clinicians who offer pro-bono services to survivors within their communities. I have worked closely with Nicole Larson for the past four years and am writing this letter on her behalf.

I am aware that Nicole will be petitioning to accept her previous hours of clinical work as counting toward attaining hours for licensure. I respectfully ask you to accept those hours. I have known and worked with Nicole in a supervisory capacity over the past four years and would like to provide you with additional information about her training, volunteer roles, and demonstrated skills and competence.

Nicole currently serves on our NW regional leadership team for Mending the Soul. She has attended all of our MTS trainings (90+ hours) and functions now as one of our MTS Basic Training instructors. This past year she traveled with us to Kigali, Rwanda where she helped to facilitate and train leaders there in trauma and abuse. Nicole will be going with us again to Rwanda April, 2014 where she will co-train as an instructor for two three-day trauma and abuse conferences. She's an excellent communicator and draws from her rich background in serving both homeless youth and adult survivors. Nicole has also served as a mentor for trauma survivors for the past 2 ½ years and I have witnessed firsthand the efficacy of her mentorship. She is skilled and gifted in creating a safe, nurturing environment and balances her face-to-face mentoring with her personal life in such a way that keeps her sustained within her work. Nicole has also facilitated three MTS small support groups (fifteen weeks each, 2 1/2 hours a night) and is currently developing and training others to facilitate and mentor.

Not only has Nicole facilitated several lay groups through MTS that support people in their process of healing from trauma and abuse but she has also served to help advise local service agencies and churches. For example, she volunteered 20 hours a week for a year to help an agency called Door to Grace in Portland, Oregon (which serves commercially sexually exploited children) with research and best practices for program development. She was also asked personally by Commissioner Dan Saltzman to sit on his panel regarding the city of Portland's support for commercially sexually exploited children (which she did). She attended Portland's Human Trafficking taskforce meetings, interfacing with several agencies and service providers working toward systemic change and collaboration. She was selected as one of 30 people in Portland to attend a GEMS (Girls Educational and Mentoring Services) train the trainer event in 2010.

"He has sent me to bring good news to the oppressed, to bind up the brokenhearted"

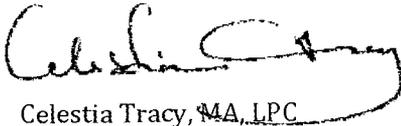
Isaiah 61:1

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Nicole has willingly volunteered all of these hours while staying home with her two young children. She truly strives to live out her values as a social worker in all avenues of her life. As she seeks to practice clinically again and attain her license, I could not be more supportive of her. She deserves to have as many of her previous hours counted as possible and I would like to encourage you in accepting them. She has consistently demonstrated the values and ethics of social work, professionalism, compassion and empathy, training and skills, and continues to educate herself and grow as a professional.

The state of Oregon needs more mental health professionals like Nicole as she brings quality training, years of experience, passion for her work, and a professionalism that honors the survivors who are fortunate to receive her care. Thank you in advance for doing what you can to support this talented young woman towards licensure.

Best regards,

A handwritten signature in black ink, appearing to read "Celestia Tracy". The signature is fluid and cursive, with a large initial "C" and a long, sweeping tail.

Celestia Tracy, MA, LPC
Founder & Director of Resource Development

PLEASE NOTE

My suggested additions and/or changes to this proposed rule stem from the most common allegations of most child custody complaints the Board receives. Most complaints in child custody issues, involve the complainant's perception and allege that the regulated social worker was unprofessional, biased, etc

NEW

877-030-0110 Social Workers Conducting Child Custody Evaluations *and/or Parenting Time Evaluations*

- (1) Regulated social workers *authorized to provide* ~~providing~~ child custody evaluations *and/or parenting time evaluations* shall be a Licensed Clinical Social Worker or Clinical Social Work Associate that have active and current licensure status with the Board.
- (2) Licensed Clinical Social Workers and Clinical Social Work Associates ~~Regulated social workers~~ must conduct each evaluation in a fair and impartial manner with professional skill, knowledge and conduct that does not impair the Licensed Clinical Social Worker's or Clinical Social Work Associate's ~~regulated social worker's~~ professional judgment.
- (3) Licensed Clinical Social Workers or Clinical Social Work Associates ~~Regulated social workers~~ must refer the child custody evaluation *and/or parenting time evaluation* services to another qualified professional, whenever a Licensed Clinical Social Worker or Clinical Social Work Associate ~~regulated social worker~~ is unable to continue or complete the ~~child custody~~ evaluation without fair or impartial assessments, professional skill, judgment or conduct.
- (4) Licensed Clinical Social Workers or Clinical Social Work Associates ~~Regulated social workers~~ conducting child custody *and/or parenting time* evaluations must, prior to starting any component of an evaluation:
 - (a) Inform and explain, both verbally and in writing to each parent and/or party to the custody proceeding, all of the information required in subsection (5) of this rule, which is a process disclosure and referred to in this rule as "informed consent;" and
 - (b) Obtain signed acknowledgement from each parent and/or party to the custody proceeding of having received, understood, and agreed to the disclosed information and terms of the informed consent provided therein.
- (5) Informed consent must include, but is not limited to, the following information.
 - (a) Identification and retention for the record, a copy of the court order requiring the custody ~~evaluation~~ *and/or parenting time evaluation* which must identify ~~and~~ any specific requirements for the evaluation in the order;
 - (b) Identification of who is considered the Licensed Clinical Social Worker or Clinical Social Work Associate's "client" ~~regulated social worker~~ during any evaluation process. For the purpose of this rule, the use of the term "client" references the person or persons that are receiving child custody *and/or parenting time* evaluation services;

- (c) Description of the qualifications of the *Licensed Clinical Social Worker or Clinical Social Work Associate* ~~social worker~~ to conduct the evaluation;
- (d) Description of the evaluation process and the role of the *Licensed Clinical Social Worker or Clinical Social Work Associate* ~~social worker~~ within that process;
- (e) Identification of the individual(s) for whom the evaluation will be prepared and to whom the final report and other information gathered as part of the evaluation, will be *disseminated to*, ~~shared with~~;
- (f) Detailed description of all fees that are charged for the evaluation, including any *subcontracting for specialized services*, when those fees must be paid, and who is financially responsible for payment of *all these fees*, pursuant to the court order;
- (g) Description of the timeline for conducting the evaluation, including *expectations of timelines for each party and for the final report to the court*;
- (h) Description of the limits of confidentiality and sharing of information, including the information gathered and the final report;
- (i) Description of *ex parte communications and identification of permissible appropriate communications between the parents or parties to the custody and/or parenting time evaluation process*; ~~proceeding, their legal representatives, and the social worker~~;
- ~~(i) Description of ex parte communications;~~
- (j) Description of information that may be gathered as part of the evaluation, including the identification of those who may be interviewed or contacted;
- (k) Identification of *written release of information authorization(s)* that may be necessary to obtain and must be provided to the *Licensed Clinical Social Worker or Clinical Social Work Associate* ~~social worker~~ in order to complete for the evaluation;
- (l) Definitions and descriptions of the use of professional collateral contacts and personal references, alternate parenting figures and others, who reside in the household or are necessary to contact for the evaluation;
- (m) Description of the general format of the final report and the *Licensed Clinical Social Worker or Clinical Social Work Associate's* ~~social worker's~~ recommendations to be provided in that report to the court; and
- (n) Compliance with all other rules and statutes that govern the *Licensed Clinical Social Worker or Clinical Social Work Associate's* ~~regulated social worker's~~ practice.

SB 2082 DEFINITIONS

877-001-0006 Definitions

(1) "Authorization to practice regulated social work" is defined in ORS 675.510 as a certificate or license issued by the State Board of Licensed Social Workers under ORS 675.510 to 675.600.

(2) "Regulated social worker" is defined in ORS 675.510 as a baccalaureate social worker registered under 675.532; a master's social worker licensed under 675.533; a clinical social work associate certified under 675.537; or a clinical social worker licensed under 675.530.

(3) The term "board" in OAR chapter 877 means the State Board of Licensed Social Workers established by ORS 675.590, unless otherwise specified.

(4) ~~For the purpose of interpreting ORS 675.510(2), "professional practice" is characterized by all of the following:~~ "Clinical social work" means:

~~(a) A client who receives professional services.~~ A specialty within the practice of master's social work that requires the application of specialized clinical knowledge and advance clinical skills to the assessment, diagnosis or treatment of mental, emotional or behavioral disorders or conditions identified in the Diagnostic and Statistical Manual of Mental Disorders (DSM) fifth edition; and

~~(b) Mental health services provided by a person who has or, by offering the services, purports to have specialized training in or knowledge of applying principles and methods listed in or suggested by ORS 675.510(2)(a) to (e).~~ The application of services described in paragraph (a) of this subsection to the provision of individual, marital, couples, family or group counseling or psychotherapy.

~~(c) The organized providing of services in coordination with a volunteer organization or in a setting through which the provider receives remuneration for the services.~~

(5) ~~For the purpose of interpreting ORS 675.510(2)(f):~~

~~(a) "Supervising" clinical social work practice" means providing evaluation and direction of the clinical social work practice of the person supervised.~~

~~(b) "Administering" clinical social work practice" means providing leadership, oversight, or direction to a practitioner who engages in the practice of clinical social work that substantially affects the use by the practitioner of principles and methods listed in or suggested by ORS 675.510(2)(a) to (e).~~

~~(c) "Teaching" clinical social work practice" means providing instruction to one or more students in an academic or instructional setting by using one of the principles and methods listed in or suggested by ORS 675.510(2)(a) to (e) but does not include the use of such teaching tools as role plays, process recordings, case discussions, or video or audio tapes of client interactions that do not involve providing mental health services to a live client in the class room setting.~~ Clinical supervision means an interactional professional relationship between a supervisor and a social worker that provides evaluation and direction over the supervisee's practice of clinical social work and promotes continued development of the social worker's knowledge, skills, and abilities to engage in the practice of clinical social work in an ethical and competent manner.

(6) "Clinical social worker" means a person who practices clinical social work.

(7) "Practice of social work" means the application of social work theory, knowledge, methods and ethics to restore or enhance social, psychosocial or biopsychosocial functioning of an individual, couples, families, children, groups, organizations or communities, and may include private practice and the provision of clinical supervision

Stat. Auth: ORS 675 510 - 675 600, 675 532 - 675 533, SB 177(2009), HB 2345(2009)
Stats. Implemented: ORS 675.571, 675 532, 675.533, 675 990 - 675.994, 675.150
Hist.: BLSW 3-2010, f. 12-15-10, cert. ef. 1-1-11; BLSW 1-2012, f. 12-14-12, cert. ef. 1-1-13

NEW DEFINITIONS RBSW AND LMSW

877-015-0106 Definitions

- (1) "Practice of baccalaureate social work" means the basic, generalist practice of social work that includes assessment, planning, intervention, evaluation, case management, information and referral, counseling, supervision, consultation, education, advocacy, community organization, and the development, implementation and administration of policies, programs or activities.

- (2) "Practice of master's social work" means social work characterized by the application of specialized knowledge and advanced practice skills in the areas of assessment, treatment planning, implementation or evaluation, case management or referral, counseling, nonclinical supervision, consultation, education, research, advocacy, community organization, or the development, implementation or administration of policies, programs or activities.

CSWA DEFINITIONS

877-020-0000 Definitions

An "agency" is a private or public organization that, through its employees, engages in clinical social work (defined in ORS 675.510 (2)) generally characterized by the following:

- (1) Cases are assigned through a central process,
- (2) Billing is centralized and done in the organization's name;
- (3) The organization collects all fees including deductibles and co-payments;
- (4) The organization controls client records and is responsible for their proper storage and destruction;
- (5) ~~The organization controls office space by renting, owning, or leasing it;~~
- (6) The organization displays its name on the premises so as to be clearly visible to clients;
- (7) The name of the organization is on all forms given to the client;
- (8) The organization maintains the responsibilities for hiring and firing of staff;
- (9) ~~The organization pays the staff for clinical services;~~
- (10) Supervision of clinical social work associates is provided on a regular basis;
- (11) ~~Evaluation of the competence of social workers who provide social work services at the organization is provided on a regular basis; and~~
- (12) Policies and procedures of the organization are available in written form for the staff and clients.

Stat. Auth.: ORS 675.510 – 675 600 & 675 990

Stats. Implemented: ORS 675.590

Hist.: BCSW 1-1982, f & ef. 1-29-82; BCSW 1-1986, f. & ef 7-7-86; BCSW 2-1990, f & cert ef. 7-13-90; BCSW 2-1991, f & cert. ef. 5-30-91; BCSW 2-1993, f & cert. ef. 10-13-93; BCSW 1-1997, f & cert ef. 3-25-97; BCSW 2-2005, f. & cert. ef 12-22-05, BCSW 1-2008, f 6-27-08, cert ef 7-1-08, BLSW 3-2010, f. 12-15-10, cert. ef 1-1-11

ELECTRONIC MEDIA SUPERVISION

877-020-0010 Plan of Practice and Supervision

(1) After a person submits an application described in OAR 877-020-0009, the board will inform the person whether the application, including the plan of practice and supervision, is approved.

(2) After an application has been approved, an associate may request a change to a plan of practice and supervision by submitting a request to the board that provides a justification for the change and ensures that the plan, as modified, will meet the requirements of this division of rules

(3) For the associate to satisfactorily complete a plan of practice and supervision, the following requirements must be met while the associate is working under an approved plan of practice and supervision:

(a) The contact with clients described in OAR 877-020-0009(4)(b) must be direct contact during which the associate practices clinical social work, which is defined in ORS 675 510(2).

(b) The associate must meet with a supervisor identified in the plan, as required in OAR 877-020-0009(4)(d):

(A) For a total of 100 hours over a period of not less than 24 consecutive months nor more than 60 consecutive months, of which a minimum of 50 hours must be individual supervision. The associate must meet at least twice each month with a plan supervisor for a minimum of one hour. If there is a second supervisor for group supervision, the requirement in this paragraph (A) is met by a single one-hour meeting with each supervisor.

(B) After the associate has completed the plan requirements contained in paragraph (A) of this sub-section, the associate must continue to meet at least once each month with a plan supervisor for a minimum of one hour

(c) All ~~s~~Supervision required in this rule must be accomplished:

(A) directly In person, in a professional setting; or

(B) by electronic video-conferencing media, provided that the first and final supervisory sessions and at least one supervisory session each quarter be conducted in person pursuant to subsection (A) above.

(d) The associate must submit to the board, on a form provided by the board, each evaluation by the supervisor (or supervisors in the event two are

authorized) required by OAR 877-020-0012(2)(e)(A) of the progress by the associate toward completion of the plan.

(e) The associate must pass the national examination required by OAR 877-020-0008

(f) The associate must work with each supervisor identified in an approved plan for not less than six months unless

(A) A change in supervision is required by a reason outside the control of the associate and the board approves the change, or

(B) The associate has completed the requirements of the plan.

Stat. Auth.: ORS 675.510 - 675.600 & 675.990

Stats. Implemented: ORS 675.537

Hist.: BCSW 1-1982, f. & ef. 1-29-82; BCSW 1-1986, f. & ef. 7-7-86; BCSW 1-1987, f. & ef. 12-29-87; BCSW 2-1990, f. & cert. ef. 7-13-90; BCSW 2-1991, f. & cert. ef. 5-30-91; BCSW 1-1992, f. & cert. ef. 6-30-92; BCSW 2-1993, f. & cert. ef. 10-13-93; BCSW 2-2005, f. & cert. ef. 12-22-05; BCSW 1-2008, f. 6-27-08, cert. ef. 7-1-08; BLSW 3-2010, f. 12-15-10, cert. ef. 1-1-11, BLSW 1-2011(Temp), f. & cert. ef. 7-5-11 thru 12-31-11; BLSW 2-2011, f. & cert. ef. 12-29-11; BLSW 1-2012, f. 12-14-12, cert. ef. 1-1-13

877-020-0012 Requirements of Supervision

(1) Qualifications of supervisor.

(a) The supervisor of the associate must be a licensed clinical social worker, approved by the board at the time the applicant submits the plan of practice and supervision for approval, unless the associate works more than 50 miles from the nearest licensed clinical social worker able to serve as supervisor of the associate. In this event, upon request of the associate, the board may authorize a supervisor who is one of the following:

(A) A clinical psychologist licensed in Oregon, a psychiatrist licensed in Oregon, or a person similarly qualified.

(B) A person who meets the following requirements for licensure but has not been licensed by the board:

(i) The educational requirement in OAR 877-020-0009(2).

(ii) Field experience requirement described in OAR 877-020-0009(3).

(b) The supervisor of the associate:

(A) Must have completed two years of licensed practice.

(B) Must have completed and reported to the board at least six hours of continuing education hours described in OAR 877-025-0006(1) or (2) in techniques of supervision within five years prior to commencing the supervision of an associate.

(2) Requirements of the supervision.

(a) The associate may have one supervisor for individual supervision and a different supervisor for group supervision.

(b) The relationship between the supervisor and the associate must be of a professional nature, and the ethical standards for social workers, including standards contained in this division of rules, are applicable to each of them

(c) The supervisor must have the authority to direct the caseload and treatment plans of the associate.

(d) In order that the goals of the supervision are reached:

(A) The supervisor and associate are expected to discuss cases with each other based on case notes, charts, records, and audio or visual tapes of clients, if available.

(B) The associate must present to the supervisor assessments, diagnoses, and treatment plans of clients seen by the associate.

(C) The treatment plans presented by the associate must be appropriate, and the supervisor must focus on the therapeutic skill of the associate in promoting change in the client.

(D) The supervisor must have the authority to determine the appropriateness of the associate's client population to the associate's level of expertise.

(e) A licensed clinical social worker or other person authorized by the board who agrees to supervise an associate must.

(A) Submit to the board at intervals not to exceed six months an evaluation of the associate's progress toward completion of the plan, on a form provided by the board.

(B) Report to the board in writing immediately in the event the associate is not complying with the plan of practice and supervision.

(C) Report to the board in writing immediately in the event the relationship between the supervisor and the associate ends earlier than the date provided for in the Plan

(D) Make other reports as required by the board.

(e) Clinical social workers who participate in supervision that is conducted by electronic video-conferencing media must:

(A) Ensure that clients whose records may be discussed as a part of the supervision provide written consent to having confidential records and information transmitted electronically;

(B) Conduct the video-conference in a setting and in a manner that protects the privacy of both parties; and

(C) Utilize secure transmittal methods, (encryption, for example) to maintain confidentiality of both parties

Stat. Auth : ORS 675.510 - 675.600, 675.990
Stats Implemented: ORS 675 537

[Publish Date]

Hist.: BCSW 1-1987, f. & ef. 12-29-87; BCSW 2-1990, f. & cert. ef. 7-13-90, BCSW 2-1991, f. & cert. ef. 5-30-91; BCSW 1-1992, f. & cert. ef. 6-30-92; BCSW 2-1993, f. & cert. ef. 10-13-93; BCSW 1-1997, f. & cert. ef. 3-25-97; BCSW 1-2001, f. & cert. ef. 5-4-01, BCSW 2-2005, f. & cert. ef. 12-22-05; BCSW 1-2008, f. 6-27-08, cert. ef. 7-1-08

REDUCED REQUIREMENTS FLEXIBILITY

877-020-0060 Reduced Requirements

(1) A person described in section (2) of this rule is subject, upon written request submitted to and approved by the board, to the following requirements for continuing education and renewal fees:

(a) Continuing education:

(A) The number of hours required by OAR 877-025-0011(1) is reduced to 20.

(B) Continuing education described in OAR 877-025-0006(1) or (6) only is authorized.

(C) Carryover of hours, addressed in OAR 877-025-0016(4), is not authorized.

(D) This rule does not change the continuing education hours required for a supervisor or the continuing education requirement for ethics training.

(b) The fee for renewal of a license, described in OAR 877-001-0020, is reduced by half.

(2) The requirements described in section (1) of this rule are applicable to a licensed clinical social worker who:

(a) Has practiced clinical social work under the authority of a license for twenty years;

(b) Has not been disciplined by a licensing authority during the prior 15 years of social work practice, and

(c) Engages in the practice of social work for not more than 500 hours a year.

(3) A person subject to the provisions of section (1) of this rule may not apply for an inactive license.

(4) In this rule, "the practice of social work" means the application of social work theory, knowledge, methods, and ethics to restore or enhance social, psychosocial, or biopsychosocial functioning of individuals, couples, families, groups, organizations, and communities, and may include private practice and the provision of clinical supervision.

(5) The board retains the authority to reduce the requirement set out in section (2)(a) above upon request from an applicant and on a showing of good cause. For example,

the board may reduce the number of years that a licensed clinical social worker must have practiced to qualify for reduced fees under this rule upon a showing that the licensee began his or her career later in life.

Stat. Auth.: ORS 675.510 - 675 600

Stats. Implemented: ORS 675.510 - 675 600

Hist.: BCSW 2-2009, f. 6-15-09, cert. ef. 7-1-09; BLSW 3-2010, f. 12-15-10, cert. ef. 1-1-11

RESIDENTIAL MENTAL AND BEHAVIORAL HEALTH

877-030-0040 Conduct and Reporting Requirements of Regulated Social Workers

(1) Conduct: The following minimum standards of professional conduct apply to regulated social workers:

(a) Private conduct of regulated social workers is a personal matter to the same extent as with any other person, except when that conduct compromises the fulfillment of professional responsibilities.

(b) Regulated social workers may not participate in, condone, or be associated with dishonesty, fraud, deceit, or misrepresentation.

(c) Regulated social workers may not misrepresent their professional qualifications, education, experience, or affiliations.

(2) Reporting Requirements:

(a) Regulated social workers must report to the Board as soon as practicable, but not later than 10 days after:

(A) Being convicted of a misdemeanor or felony;

(B) Being arrested for a felony crime;

(C) Receiving notice of a civil lawsuit that names the regulated social worker as a defendant and makes allegations related to the regulated social worker's practice of clinical social work or the regulated social worker's license or certificate;

(D) ~~Becoming an in-patient in a psychiatric hospital or psychiatric day~~
Being admitted to a behavior or mental health treatment facility; or

(E) Receiving notice of a regulatory action related to the regulated social worker's license or certificate.

(b) Regulated social workers must report child and elderly abuse as required by ORS 419B.005 to 419B.050 and 124.050 to 124.095.

(c) Unless state or federal laws relating to confidentiality or the protection of health information prohibit disclosure, a regulated social worker is required to report to the board any information the regulated social worker has that appears to show that a regulated social worker is or may be an impaired professional or may have engaged in unprofessional conduct according to the guidelines of the code of ethics, to the extent that disclosure does not conflict with the

requirements of ORS 675.580. A regulated social worker is an impaired professional if the regulated social worker is unable to practice with professional skill and safety by reason of habitual or excessive use or abuse of drugs, alcohol or other substances that impair ability or by reason of a mental health disorder

(d) Unless state or federal laws relating to confidentiality or the protection of health information prohibit disclosure, a regulated social worker licensee who has reasonable cause to believe that a licensee has engaged in prohibited or unprofessional conduct is required to report the conduct to the board responsible for the licensee who is believed to have engaged in the conduct. The reporting regulated social worker must report the conduct without undue delay, but in no event later than 10 working days after the reporting regulated social worker learns of the conduct. In this section:

(A) "Licensee" means a health professional licensed or certified by or registered with a board.

(B) "Board" has the meaning given that term in ORS 676.150.

(C) "Prohibited conduct" means conduct by a licensee that:

(i) Constitutes a criminal act against a patient or client; or

(ii) Constitutes a criminal act that creates a risk of harm to a patient or client.

(D) "Unprofessional conduct" means conduct unbecoming a licensee or detrimental to the best interests of the public, including conduct contrary to recognized standards of ethics of the licensee's profession or conduct that endangers the health, safety or welfare of a patient or client.

(3) Administrative Reporting Requirements: Regulated Social Workers must notify the Board as soon as practicable, but no later than 30 days, after changes in the regulated social workers name of record, address of record, and employer of record, including changes in the mailing address of the employer of record, as defined in OAR 877-001-0009.

Stat Auth · ORS 675 510 - 675 600 & 675 900

Stats Implemented: ORS 675.595

Hist. BCSW 2-1993, f & cert. ef. 10-13-93; BCSW 1-2001, f & cert. ef. 5-4-01, BCSW 2-2005, f & cert. ef. 12-22-05, BCSW 1-2008, f. 6-27-08, cert. ef. 7-1-08, BLSW 1-2010, f & cert. ef. 1-15-10, BLSW 2-2010(Temp), f. & cert. ef. 7-1-10 thru 12-28-10; BLSW 3-2010, f. 12-15-10, cert. ef. 1-1-11; BLSW 1-2012, f. 12-14-12, cert. ef. 1-1-13

To: The Oregon Board of Licensed Social Workers
Randy Harnisch, Executive Director
Carol Copley Zancanella, LCSW, Board Chair
Donna Henderson, LCSW, Vice Chair
Kathy Outland, LCSW
Martha Lopez, Public Member
Rachel Jensen, Public Member
Ebony Sloan Clarke, LCSW, Multnomah County

From: Greg Pugh, MSW, PhD
Assistant Professor
Portland State University School of Social Work
1800 SW 6th Avenue, ASRC 600
Portland, OR 97201
Office: 503-725-5035
Email: gpugh@pdx.edu

Date: 2 April 2014
Re: Research Project Cooperation

Background & Proposal:

I am a Social Work Professor at PSU, with an interest in social work ethics and regulation. I am interested in pursuing a grant to study social work regulation offered by the American Foundation for Research and Consumer Education in Social Work Regulation, which is a foundation of the Association of Social Work Boards (ASWB). The grant details are available here: <http://www.aswb.org/educators/research-grant-program/> In summary, they are interested in any aspect of social work regulation, and are offering grants of \$5,000 to \$25,000 for research in this area. The funding would pay for my time, materials, survey development, survey administration, data analysis, and reporting. There is no funding expected from or given to the BLSW as part of this project.

The current proposal is to measure the Ethical Environment for social workers in Oregon. Ethical Environment is a psychological construct created and perpetuated by the social workers in the State based on perceptions of the ethical communications, actions, and attitudes of social workers in the State, and the State and the BLSW (and to some extent social work training and education programs, including PSU). The perception of Ethical Environment directly influences individual behavior, more so than the Code of Ethics or other regulatory proscriptions. My own research has found that Ethical Environment was influenced by factors such as continuing education, and in particular found that a clear sense of interest and involvement in ethics (the use of resources to support and communicate about ethics) made the most positive difference in Ethical Environment among hospital-based social workers.

For this to work, what I need is a method to invite and send reminders to all the regulated social workers in the state to complete an online survey. I am thinking that the BLSW and myself can find a mutually agreeable and confidential method by which to pass-through the survey invitations and reminders via email from the PSU SSW to the regulated social workers.

The BLSW is not ask to support, endorse, or otherwise facilitate the research itself, and the responses would not be individually available to the BLSW. The benefits of the research for the BLSW are anticipated to be recommendations for (1) a communications strategy about ethics, and (2) quality, quantity, and content for continuing education requirements about ethics.

To answer some of your questions:

Due to time and funding constraints, the survey would be online with a service called “Qualtrics” that is available to PSU. A traditional mail survey would cost more than the maximum grant offered by ASWB. Since the invitation to participate can be distributed via email, and since there are no limits on the amount of data we can collect in this fashion, we can actually invite all licensed social workers in the entire state. A good rule of thumb for research surveys is that only about 25% will actually participate, so inviting all simply helps obtain a good sample. Inviting all would also allow for a large enough sample to separate out data and conclusions for subgroups, e.g., by licensure type. The best survey research techniques suggest contacting potential participants around four times, but this can be modified for web surveys. I would recommend an initial invitation, and at least two reminder emails.

The content of the survey is still under construction, and if there were specific questions the BLSW would want to include, we can consider that. The key rule in web surveys is brevity, so we do have to be as streamlined as possible. I have attached to this letter a preliminary version of what the survey may look like. It contains basic demographics, the ethical environment instrument (the SEEQ), and some additional questions that were indicated as important in the literature on ethical environment. The SEEQ instrument is only at phase one of design: a set of draft questions based on domains of ethical environment from the available research. The draft will be tested on students and volunteers in order to eliminate and revise questions into the shortest possible version that still measures the concept.

All the results will be freely shared with the BLSW. I anticipate a brief executive summary as soon as the data analysis is completed. The timeline for the study is projected as design and implementation strategy development from the award date (August 2014) through the following 6-9 months, with the tentative plan to launch the online survey in the Spring or Fall of 2015. Data analysis and reporting would be during the Winter and Spring of 2016. The ASWB grant has a two year cycle, so that allows us to spread out the timetable and not have to rush through things.

That grant proposal is due May 1st. I think that a simple Memorandum of Agreement from the BLSW that states their agreement to work with me on the project would help ensure the grant goes through. Please feel free to contact me at any time if you have questions or concerns.

Sincerely,

-gpugh

Greg L. Pugh, MSW, PhD